

Attachment D

MARKET ANALYSIS

Lawyer

The market rate (midpoints in the competitive pay zone) for this occupation at pay band 7 is **\$95,987**. Current broadband class series and corresponding market rates are:

Job Code	Class Series	Pay Band	Market Rate
231116	Lawyer	6	\$79,989
231117	Lawyer	7	\$95,987
231118	Lawyer	8	\$115,185

State Human Resources used the Tier 1 survey approach to produce this market analysis. For detailed information regarding the standard for this occupation go to: <http://online.onetcenter.org/link/summary/23-1011.00>. Following are the source data descriptions:

- **Occupational & Employment Statistics Survey (OES) 2008** - Represent clients in criminal and civil litigation and other legal proceedings, draw up legal documents, and manage or advise clients on legal transactions. May specialize in a single area or may practice broadly in many areas of law.
- **Central States Compensation Association 2009 - ATTORNEY** - This is advanced professional legal work, with considerable independence and professional judgment on difficult cases, involving the representation of state agencies and departments, serving as a public defender or prosecutor in criminal trials. Minimum Qualifications: Graduation from an accredited school of law and progressively responsible experience in professional legal work. Must possess a certificate of admission to the Bar at the time of appointment.
- **Salary.Com 2010** - Prepares and examines contracts involving leases, licenses, purchases, sales, insurance, etc. Provides legal advice to an organization, prepares resolutions and forms, and participates in major legal actions. Responsible for foreseeing and protecting the company against legal risks. Must be a graduate of an accredited law school with 2-5 years of experience and admitted into the state bar. Familiar with a variety of the field's concepts, practices, and procedures. Relies on experience and judgment to plan and accomplish goals. Performs a variety of tasks. A wide degree of creativity and latitude is expected.

How market rates are determined

State Human Resources uses a two-tiered survey approach to determine market rates for state job occupations:

- A. Tier 1 (*standard market analysis*):** State Human Resources uses three survey sources (the U.S. Department of Labor's Occupational Employment Statistics (OES) survey, the Central States Compensation

Association (CSCA) survey, and Salary.com) to capture market rates for job occupations in Montana's regional labor market (Montana, North Dakota, South Dakota, Wyoming and Idaho).

- B. Tier 2 (*customized market analysis*):** At the request and consensus of employing state agencies, State Human Resources customizes its survey approach for job occupations that have recruitment and retention issues.

State Human Resources uses the median pay rate to determine the market rate under both approaches.

Job analysts and subject-matter experts compare state government occupations to descriptions in each survey source to ensure appropriate job matches. They match the complexity level of the surveys' occupational descriptions to the levels defined under Montana's broadband classification system. This process yields an "anchor point" for job occupations. Market rates for the same occupation classified at a lower pay band are set 20 percent below this anchor point; market rates for the same occupation classified at a higher pay band are set 20 percent above the anchor point.

How competitive pay zones are used

The state establishes a recommended competitive pay zone. Competitive pay zones are determined based on common industry practices. They are an external measurement. This competitive pay zone may be one of the many factors considered when setting pay. Pay adjustments depend on the state's ability to pay, collective bargaining (if applicable), and legislative approval. Montana state government does not guarantee employees are paid within their competitive pay zone.

The recommended competitive pay zone for the Lawyer series is:

Job Code	Class Series	Pay Band	Competitive Minimum Pay Zone Rate	Competitive Maximum Pay Zone Rate
231116	Lawyer	6	\$63,991	\$95,987
231117	Lawyer	7	\$74,966	\$117,008
231118	Lawyer	8	\$88,577	\$141,792